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REMARKS

Claims 1-31 are pending in the present Application. Claims 29-31 have been withdrawn, claims 2, 12, 13, 20, 21 and 22 have been amended, and no claims have been added, leaving Claims 1- 28 for consideration upon entry of the present Amendment.

The Specification has been amended to correct certain typographical errors. No new matter has been introduced by these amendments.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Allowable Claims

Applicants appreciate the Examiner's indication of the allowance of claims 17-19, the allowability of claim 20 upon correction of a misspelling, and the allowability of claims 21-22 upon correction to remove the rejections under 35 U.S.C. 112, second paragraph.

Response to Restriction Requirement

Applicants hereby confirm the election of Claims 1 – 28 for prosecution.

Amendments to the Specification

Applicants thank the Examiner for the suggestion that claim-type phraseology "comprise" should be corrected to be "include," and have amended the Abstract accordingly to comply with MPEP § 608.01 (b). In addition, Applicants have amended the Abstract to correct typographical errors and place the Abstract in appropriate narrative form. The specification has also been amended to correct other inadvertent typographical errors.

Amendment to the Title

The title has been amended to more specifically describe the invention. The title now recites "Methods of Embossing."

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Claim Objections

Claims 13, 20 and 21 are objected to because of informalities noted by the Examiner. Applicants have amended the inadvertent typographical errors in these claims, some of which appear to be due to the electronic filing of the application. Applicants have therefore reviewed the electronic filing printout, and made corrections to other inadvertent typographical errors, in particular in claims 2, 12, and 21.

Applicants have also amended claim 22 to include unintentionally omitted phraseology "or combinations comprising at least one of XIXa, XIXb, XIXc." Support for this amendment may be found at least at pages 26 and 39 of the specification.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 21 and 22 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has pointed out that in claim 21 it is not clear what "Ywherein" means or refers to, nor what "Y" represents in the formula. Claim 21 has been amended to provide clarification. Antecedent basis for this amendment may be found at [0061] of the specification as filed.

Further, the Examiner has stated that claim 22 is confusing and unclear because it is not clear which formula corresponds to XIXa and which formula corresponds to XIXb, as XIXa is presently written immediately adjacent to what appears to be formula XIXb. Claim 22 has been presented with amended spacing to more clearly indicate the identities of XIXa and XIXb.

Claim Rejections Under 35 U.S.C. § 102(a)

Claims 1-6, 9-11, 15 and 23-25 stand rejected under 35 U.S.C. § 102(a) as allegedly anticipated by Davis et al. (WO 00/48172). The Examiner also cites the reference in Davis to Lupinski et al. (US 5,534,602). In particular, the Examiner states that the entire document of Davis teaches an embossing process (and polymers) as set forth in the instant claims, including the aspect of altering the glass transition temperature. (Office Action p. 6) The

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Examiner references in particular page 6, line 21 to page 18, line 11 of Davis. Applicants respectfully traverse this rejection, on the basis that Davis does not disclose a method of embossing a polymer wherein the Tg of the polymer is adjusted during, after, or both during and after embossing.

Davis discloses methods of making partially or wholly polymeric data storage devices having a thermally stable polymer surface. In discussing suitable polymeric materials, Davis states that "in theory, any plastic that exhibits appropriate properties [ ] can be employed as the substrate, core, and/or coating". (Page 16, ll. 21-22). Since the polymers "should be capable of withstanding the subsequent processing parameters", including conditions of high heat, polymers having Tgs greater than about 150°C, 200 °C, or even 250°C are preferred. (Page 16, line 21 to page 18, line 8).

Davis then states:

As various applications may require polymers with different glass transition temperatures, it may be advantageous to be able to adjust the glass transition temperature of a plastic (homopolymer, copolymer or blend) to achieve a film with the desired glass transition temperature. To this end, polymer blends, such as those described in U.S. Patent No. 5,534,602 (to Lupinski and Cole, 1996) may be employed in the preparation of the coating solution. *Id.* at page 17, line 1-16.

(Page 17, ll. 9-18)

The foregoing passage does not disclose adjusting the Tg of a polymer during, after, or both during and after embossing; rather, it discloses simply that the initial Tg of a polymer may be adjusted to achieve the desired initial Tg. Such adjusting is done by using polymer blends, for example, which may then be used in the preparation of a coating solution. Nothing in Davis teaches adjusting the Tg of the polymer during, after, or both during and after embossing. Lupinski is similarly silent as to this step. Lupinski simply discloses high temperature polyetherimide compositions comprising condensed units of bis(4-aminophenylsulfonyl) and diaminophenylindane for providing chip adhesives, or laminating or film adhesives having a single glass transition temperature, T<sub>g</sub>, in the range of 190°C to 320°C, which are composition dependent. See Lupinski et al. column 2, lines 8-53.

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To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Varient Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987). Since Davis does not disclose adjusting the Tg of a polymer during, after, or both during and after embossing; it is respectfully submitted that claims 1-6, 9-11, 15 and 22-25 are novel over the disclosures of both Davis et al. and Lupinski et al. Reconsideration and allowance of the claims is respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862.

Respectfully submitted,

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